

R E M A R K S

Applicant has carefully considered the above identified Office Action, and in response thereto is addressing each issue raised by the examiner in the remarks hereinbelow. In this regard, applicant is canceling without prejudice claims 2, 3 and 9 - 15; amending claim 1; and adding claims 22 - 28.

Election/Restrictions

Claims 7, 14 and 21 were restricted without traverse. Claims 7 and 14 will be reinstated, upon allowance of a generic claim.

Claim Rejection 35 USC 102(b)

Applicant has amended claim 1 by adding claims 2 and 3 thereto according to the allowable subject matter section. Therefore, all claims dependent upon claim 1 are allowable. Applicant has canceled claims 9 - 15. Therefore, examiner's rejection concerning claims 9 - 15 is moot. Applicant has added the phrase, "adjusting at least one draw member to change a length of said outside perimeter of said removable window insulator to fit into a window frame." to claim 1 to create new claim 22. Using a prior art reference under 102(b) for anticipation requires that the prior art reference contain all limitations found in the accused claim, the Sayer '804 patent does not contain all claim limitations found in new claim 22. Therefore, all claims dependent upon claim 22 are allowable.

Allowance Subject Matter

Applicant agrees with examiner that claims 3 - 4 and 11 - 12 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

C O N C L U S I O N

It is respectfully submitted that applicant has responded in a fully satisfactory manner to all matters at issue in this application, and this application is now in condition for allowance. In this regard, applicant has made every effort to comply with the requirements set forth in this Office Action as well as statutory requirements. Accordingly, applicant respectfully requests that the Examiner enter this amendment, allow the claims, and pass this application on to issue.

Respectfully submitted,



Donald J. Ersler
Reg No. 38,753

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Donald J. Ersler
Attorney at Law
725 Garvens Avenue
Brookfield, Wisconsin 53005
Phone: (262) 785-0160
Fax: (262) 785-0162